

IOWA JUDICIAL BRANCH COURT COLLECTION PROCESSES

The Judicial Branch uses various tools to collect debt owed to the clerks of court for fines, fees, court costs, restitution, and other debt owed to the court. These tools are described below:

Clerks' Noticing – Clerks of court typically mail to debtors at least three reminder notices. The first notice is the judgment entry or sentencing order, and is mailed at the time the fee is imposed if payment has not been made. The second notice is mailed if payment is not received within 20 days. The third and final notice from the clerk is mailed at 30 days and states that if payment is not received within ten days, the account will be transferred to the Iowa Department of Revenue and Finance for collection.

C.C.U (Centralized Collection Unit) – A primary collection tool is the Court Collections Interface Project with the Department of Revenue and Finance (DRF) and their Centralized Collection Unit (CCU). The CCU process involves a computer interface between the clerks of court and DRF. The interface allows the clerk to send case information to DRF electronically. Debtors are charged a 10% fee when their case is transferred to DRF for processing. DRF uses a variety of collection methods, including letters and phone calls. They have state of the art technology for collections and use an outside agency that specializes in debt collections to help with this process. Additionally, failure to pay overdue amounts may trigger other actions including the following: drivers license revocation, refusal to renew vehicle registration, and offset of state income tax refund or vendor payments from the state. Approximately \$1.8 million in outstanding debt is collected annually through the CCU.

Income Tax, Vendor Offset, & Lottery Winnings – In addition to transferring information to the Centralized Collection Unit of Revenue and Finance, we also transfer court debt to DRF for state income tax offset, vendor offset, and lottery winnings. Approximately \$4 million in outstanding debt is collected annually through all three of these offset programs. Prior to FY 06, most of this money was collected through the income tax and vendor offset programs. However, in FY 06 there has been a noticeable increase in collections against lottery winnings. Last July, the judicial branch collected \$4,500 from lottery winnings. By the fall that number increased to approximately \$50,000 per month; in January, over \$60,000 was collected from lottery winnings.

Treasurer's Interface Project – The Treasurer's Interface Project was established for the purpose of preventing individuals who owe money to the State of Iowa from renewing their vehicle registrations. Each evening through the use of ICIS technology, a comprehensive list of those persons who owe monies to the State of Iowa and restitution are generated.

Iowa Conviction Notification Network (ICONN) – The ICONN Interface Project was established for the purpose of preventing individuals who owe money to the State of Iowa for traffic citations from renewing their driver's license. Through the use of ICIS technology, the Department of Transportation is notified electronically each day of the persons who owe outstanding debt obligations to the State for traffic citations.

County Attorney Collections – Iowa Code Section 602.8107 (4) allows a county attorney to collect delinquent court debt and receive 35% of amounts collected. Thirty two county attorneys are active in collection process.

Judges and Magistrates – Judges and magistrates continue to be active in collections. With the help of the clerks of court and ICIS, judges and magistrates monitor payments. In many counties if a fine is not paid timely, defendants are required to attend show cause hearings and explain to the judge why payment has not been made. Requiring defendants to come back to court if a fine is not paid is a good incentive and reminder that their fine needs to be paid.